

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re  
85 FLATBUSH RHO MEZZ LLC, et al.,<sup>1</sup>  
Debtors

Case No. 20-23280 (SHL)  
Chapter 11

(Jointly Administered)

**STIPULATION AND AGREED ORDER**

This stipulation (the “Stipulation”) is entered into between TH Holdco LLC (“TH Holdco”) and Greater Shield LLC d/b/a Ground Support Services (“Greater Shield”, and together with the TH Holdco, the “Parties”).

**RECITALS**

1. On July 6, 2022, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming TH Holdco LLC's Second Amended Chapter 11 Plan, As Modified by This Order* [Docket No. 280] (the “Confirmation Order”), which among other things, confirmed TH Holdco’s *Second Amended Chapter 11 Plan* [Docket No. 211] filed on May 26, 2022 (the “Plan”)<sup>2</sup>, approved the *Purchase and Sale Agreement By and Between 85 Flatbush RHO Hotel, LLC and 85 Flatbush RHO Residential LLC as Sellers and TH Holdco LLC* filed on June 27, 2022 [Docket No. 268] (the “TH Holdco Purchase Agreement”).

2. On December 21, 2022, TH Holdco filed its *Notice of (I) Entry of Order Confirming TH Holdco LLC's Second Amended Plan, (II) Occurrence Of Effective Date, and (III) Final Deadlines For Filing Certain Claims* [Docket No. 377], which, among other things,

<sup>1</sup> The Debtors (as defined) in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, include: 85 Flatbush RHO Mezz LLC (6184); 85 Flatbush RHO Hotel LLC (5027); and 85 Flatbush RHO Residential LLC (2261).

<sup>2</sup> Capitalized terms used in this Stipulation but not otherwise defined herein shall have meaning set forth in the Plan.

established February 21, 2023 as the deadline for TH Holdco to file an objection to Greater Shield's claims (the "Claim Objection Deadline").

3. Pursuant to Section 8 of the Plan, the Parties have now agreed to extend the Claim Objection Deadline by an additional week until April 20, 2023 (the "Greater Shield Claim Objection Deadline") to allow the Parties additional time to document the settlement in principle the Parties have reached in this matter.

**AGREEMENT**

**NOW THEREFORE**, the Parties to this Stipulation hereby agree and stipulate as follows:

The Greater Shield Claim Objection Deadline will be extended to April 20, 2023.

Dated: April 12, 2022  
New York, New York

**DENTONS US LLP**

/s/ Sarah M. Schrag  
Lauren Macksoud  
Sarah M. Schrag  
**DENTONS US LLP**  
1221 Avenue of the Americas  
25<sup>th</sup> Floor  
New York, New York 10020  
Telephone: (212) 768-6700  
Facsimile: (212) 768-6800  
E-mail: [lauren.macksoud@dentons.com](mailto:lauren.macksoud@dentons.com)  
[sarah.schrag@dentons.com](mailto:sarah.schrag@dentons.com)

Robert Richards (admitted *pro hac vice*)  
**DENTONS US LLP**  
233 S. Wacker Drive  
Suite 5900  
Chicago, IL 60606  
Telephone: (312) 876-8000  
Facsimile: (312) 876-7934  
Email: [robert.richards@dentons.com](mailto:robert.richards@dentons.com)

*Counsel for TH Holdco LLC*

**WARSHAW BURSTEIN, LLP**

/s/ Martin S. Siegel

Martin S. Siegel

Thomas Filardo

**WARSHAW BURSTEIN, LLP**

575 Lexington Avenue

New York, NY 10022

Telephone: (212) 984-7806

Fax: (212) 972-9150

*Counsel for Greater Shield LLC d/b/a Ground  
Support Services*

Entered: April \_\_\_, 2023

SO ORDERED: \_\_\_\_\_  
Honorable Sean H. Lane  
United States Bankruptcy Judge